

MESSAGE NO: 6055312 MESSAGE DATE: 02/24/2016

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: CTDIS-Court ORD Dissolved

FR CITE: FR CITE DATE:

REFERENCE 3183301, 3199302
MESSAGE #
(s):

CASE #(s): A-570-890

EFFECTIVE DATE: 02/24/2016 COURT CASE #: 13-00233

PERIOD OF REVIEW: 01/01/2011 TO 12/31/2011

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 02/24/2016

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Liquidation instructions for wooden bedroom furniture from the PRC exported by Shanghai Maoji, and imported by certain importers for the period 01/01/2011 through 12/31/2011 (A-570-890)

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 3 below.

1. On October 14, 2015, in the case of Mark David v. United States, (2015-1276), the Court of Appeals for the Federal Circuit issued a final decision that affirmed the U.S. Court of International Trade's November 18, 2014 decision sustaining Commerce's final results in the seventh administrative review of the antidumping duty order on wooden bedroom furniture from the People's Republic of China ("PRC"). As a result of this decision, the injunctions to which messages 3183301 (dated 07/02/2013) and 3199302 (dated 07/18/2013) refer enjoining liquidation of entries which are subject to the antidumping duty order on wooden bedroom furniture from the PRC for the period 01/01/2011 through 12/31/2011, exported by Shanghai Maoji Imp. and Exp. Co., Ltd., and imported by Mark David, a Division of Baker, Knapp & Tubbs, Inc., or MGM Resorts International Design, Bryan Ashley International Inc., or Metropolis Manufacturing Inc. (dba Vaughan Benz), respectively, dissolved on January 12, 2016.

2. For all shipments of wooden bedroom furniture from the PRC exported by Shanghai Maoji Imp. and Exp. Co., Ltd. (A-570-890-051), imported by or sold to (as indicated on the commercial invoice or Customs documentation) the firms listed below, and entered, or withdrawn from warehouse, for consumption during the period 01/01/2011 through 12/31/2011, assess an antidumping liability equal to the percentages listed below of the entered value:

Importer or customer: Mark David, a Division of Baker, Knapp & Tubbs, Inc.

Final rate: 216.01%

Importer or customer: MGM Resorts International Design, Bryan Ashley International Inc., or Metropolis Manufacturing Inc. (dba Vaughan Benz)

Final rate: 216.01%

3. These instructions constitute notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 2. Accordingly, notice of the lifting of suspension occurred on the message date of these instructions. Unless instructed otherwise, for all other shipments of wooden bedroom furniture from the PRC you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.
4. There are no injunctions applicable to the entries covered by this instruction.
5. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.
6. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.
7. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OIV:PO.)
8. There are no restrictions on the release of this information.

Alexander Amdur

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party